

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN JULES,	:	
	:	
Plaintiff,	:	
	:	20 Civ. 10500 (LGS)
-against-	:	
	:	<u>ORDER</u>
ANDRE BALAZS PROPERTIES, et al.,	:	
Defendants.	:	
-----X		
LORNA G. SCHOFIELD, District Judge:		

WHEREAS, an Opinion and Order issued May 28, 2021, interpreted an Arbitration Agreement between the parties and stayed proceedings in this case pending completion of arbitration proceedings before JAMS in California, pursuant to the Federal Arbitration Act. On February 3, 2023, the parties filed a joint status letter stating that the Arbitrator issued an award on January 17, 2023 in favor of Defendants (the “Final Award”). The Final Award also included sanctions against Plaintiff and Plaintiff’s counsel, Thomas A. Farinella.

WHEREAS, an order issued February 24, 2023, granted a request from Mr. Farinella to withdraw from representation of Plaintiff. An order issued March 6, 2023, directed the parties and Mr. Farinella to meet and confer regarding potential settlement. That order also set a briefing schedule for Defendants’ anticipated motion to confirm the Final Award.

WHEREAS, on March 10, 2023, Plaintiff filed a letter on ECF alleging misconduct on the part of Defendants’ counsel. Defendants also filed a letter on ECF, representing that settlement discussions were not productive. Finally, Thomas A. Farinella entered a notice of appearance as an interested party in this case. Plaintiff and Mr. Farinella indicate that they intend to move to vacate the Final Award. It is hereby

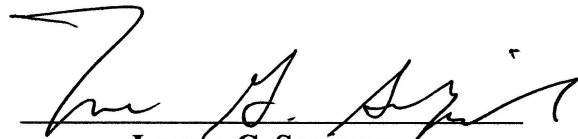
ORDERED that Plaintiff's request for "appropriate action" against Defendants due to their conduct during settlement discussions is **DENIED**. Plaintiff's letter does not provide a basis to conclude that Defendants acted inappropriately or engaged in unauthorized practice of law. It is further

ORDERED that Defendants' anticipated motion to confirm the arbitral award and Plaintiff and Mr. Farinella's anticipated motions to vacate the arbitral award shall be briefed as follows:

- By **March 24, 2023**, Defendants shall file their motion to confirm the Final Award. Any memorandum of law filed in support of the motion shall not exceed fifteen pages.
- By **April 14, 2023**, Plaintiff and Mr. Farinella may each file any motion to vacate the arbitral award and opposition to Defendants' motion. Any memorandum of law in support of their motion and in opposition to Defendants' motion shall not exceed fifteen pages.
- By **April 28, 2023**, if Plaintiff or Mr. Farinella files such a motion, Defendants may file any opposition to Plaintiff and Mr. Farinella's motions and reply in support of their motion to confirm, not to exceed six pages in total.
- By **May 12, 2023**, Plaintiff and Mr. Farinella may each file a reply in support of their motions to vacate, not to exceed six pages.

No further extensions will be granted on these deadlines.

Dated: March 13, 2023
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE